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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,381

01/23/2006

Julen Burgoa Arteche

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EXAMINER

GONZALEZ, MADELINE

ART UNIT

PAPER NUMBER

1797

MAIL DATE

DELIVERY MODE

11/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/565,381	Applicant(s) ARTECHE ET AL.	
	Examiner Madeline Gonzalez	Art Unit 1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/23/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 15-22, 25, 26 and 31-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Spearman (U.S. 5,376,270).

With respect to **claim 15**, Spearman discloses a filter assembly 20, as shown in Fig. 1, having:

- a filter housing 21, as shown in Fig. 2;
- at least one filter element 58 contained in the housing 21, as shown in Fig. 1;
- at least two connections 30, 53, at least one of which connections serves as an inlet and at least one of which serves as an outlet, as shown in Fig. 1;
- wherein the filter element 58 is embodied as flat, as shown in Fig. 1.

With respect to **claim 16**, Spearman discloses wherein the filter element 58 includes a folded filter material, as shown in Fig. 2.

With respect to **claim 17**, Spearman discloses wherein the filter material is folded essentially into the shape of a block, as shown in Fig. 1.

With respect to **claims 18 and 19**, Spearman discloses wherein the filter element 58 includes an encapsulated clean side that is connected to the connection serving as the outlet 53 (see col. 5, lines 23-28).

With respect to **claims 20-22**, Spearman discloses wherein the filter element 58 includes an encapsulated dirty side that is connected to the connection serving as the inlet 30 (see col. 5, lines 23-28).

With respect to **claim 25**, Spearman discloses wherein at least one of the connections 30, 53, is situated at an end of the filter housing 21, as shown in Fig. 1.

With respect to **claim 26**, Spearman discloses at least two of the connections 30, 53, are situated at opposite ends of the filter housing 21, as shown in Fig. 1.

With respect to **claims 31 and 32**, Spearman discloses wherein the filter housing 21 includes a block-shaped housing part 22, 23, and a cover 60 that closes the housing part 22, 23, as shown in Fig. 1.

With respect to **claim 33**, Spearman discloses wherein the housing part 22, 23, and the cover 60 are connected to each other by means of a nondetachable connection (see col. 5, lines 16-28).

Claims 15, 20, 23, 24, 27-30 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Titch et al. (U.S. 4,783,266) [hereinafter Titch].

With respect to **claim 15**, Titch discloses a filter 10, as shown in Fig. 1, having:

- a filter housing 12, as shown in Fig. 1;
- at least one filter element 30 contained in the housing 12, as shown in Fig. 2;
- at least two connections 22, 24, at least one of which connections serves as an inlet and at least one of which serves as an outlet, as shown in Fig. 3;
- wherein the filter element 30 is embodied as flat, as shown in Fig. 2.

With respect to **claim 20**, Titch discloses wherein the filter element 30 includes an encapsulated dirty side that is connected to the connection serving as the inlet 22, as shown in Fig. 3.

With respect to **claims 23 and 24**, Titch discloses two or more filter elements 30 contained in the filter housing 12, as shown in Fig. 3.

With respect to **claim 27**, Titch discloses a flow entry 22 that at least reduces turbulence in the region of the side where the flow strikes the filter element 30, as shown in Fig. 3.

With respect to **claims 28 and 29**, Titch discloses a flow baffle 32 provided in the connection serving as the inlet 22 as shown in Fig. 3.

With respect to **claim 30**, Titch discloses wherein the flow baffle 32 is inclined upward in relation to the flow direction, as shown in Fig. 3.

With respect to **claim 34**, Spearman discloses a distribution stabilizer 26, 32, on the inlet side 22 as shown in Fig. 3.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeline Gonzalez whose telephone number is 571-272-5502. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Sample can be reached on 571-272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Madeline Gonzalez
Patent Examiner
November 19, 2007

A handwritten signature in black ink, appearing to read 'K. Menon', written in a cursive style.

KRISHNAN MENON
PRIMARY EXAMINER